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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,080	04/01/2004	Marek Matusz	TH-0996 (US)	8885
23632	7590	06/11/2009	EXAMINER	
SHELL OIL COMPANY P O BOX 2463 HOUSTON, TX 772522463			COVINGTON, RAYMOND K	
ART UNIT	PAPER NUMBER			
			1625	
MAIL DATE	DELIVERY MODE			
			06/11/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* MAREK MATUSZ  
And  
RUTH MARY KOWALESKI

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Application No. 10/816,080  
Technology Center 1600

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Mailed: June 11, 2009

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Before PAMELA S. BENNETT, *Review Team Paralegal*.  
BENNETT, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on June 8, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

**PRIOR ORDER FOR RETURN**

A prior “Order Returning Undocketed Appeal to Examiner” was mailed on March 11, 2009, wherein the Examiner was instructed that a correction was required. A review of the file finds that the required correction has not been made or has not been made in its entirety. The matter still requiring attention prior to docketing is identified below.

**INFORMATION DISCLOSURE STATEMENT**

Appellants filed an Information Disclosure Statement (IDS) dated January 28, 2008. There is no indication on the record that the Examiner has considered the above IDS. Section 609 of the *Manual of Patent Examining Procedure* (MPEP) (Eighth Edition, Rev. 6, September 2007) requires the Examiner to consider any IDS filed by Applicants if timely submitted. A written communication notifying Appellants of the Examiner’s consideration of the above IDS is required.

**CONCLUSION**

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to acknowledge and consider the IDS filed January 28, 2008; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

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